

REMARKS/ARGUMENTS**Interview Summary**

The inventor (Dr. Guzman) and the undersigned counsel for Dr. Guzman thank Examiner Noguerola for the courtesies to them during their personal interview of February 21, 2006. During that interview a proposed new independent claim was discussed in view of U.S. Patent 6,613,525 (Nelson), U.S. Patent 6,013,165 (Wiktorowicz), U.S. Patent 5,944,971 (Foote) and U.S. Patent 6,406,604 (Guzman '604).

The Final Rejection

In the above-mentioned final rejection, claims 29 and 30 were rejected as being unpatentable over claims 1 and 2 in U.S. Guzman '604 under the doctrine of obviousness-type double patenting; claims 31, 33 and 34 were rejected as being unpatentable over claim 5 in Guzman '604 under the doctrine of obviousness-type double patenting; claims 32 and 35 were rejected as being unpatentable over claim 3 in Guzman '604 under the doctrine of obviousness-type double patenting; claims 31, 33 and 34 were rejected as being anticipated by Wiktorowicz; and claims 29, 30, 32 and 35 were rejected as being anticipated by Nelson.

In response to the final rejection, claims 29-35 (all of the pending claims) are cancelled without prejudice or disclaimer, and new claims 36-77 are added.

New Independent Claim 36

New claims 36-77 include only one independent claim -- claim 36, which is patentable for at least the following reasons.

Claim 36 includes the first and second separation passages crossing over the transport passage is thus patentable over Foote.

Claim 36 includes the first and second affinity means is thus patentable over Wiktorowicz.

Claim 36 includes first and second separation passages intersecting the transport passage and is thus patentable over Nelson.

Additionally, the claims as now pending are not subject to an obviousness-type double patenting rejection over Guzman '604 because claim 36 includes the first and second affinity means and the first and second crossing-over separation passages and because the claims do not include the non-specific analyte concentrator of the Guzman '604 claims.

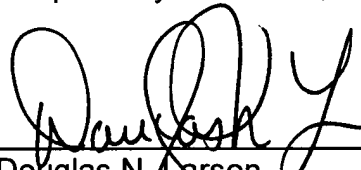
Concluding Remarks

Accordingly, it is respectfully contended that all of the claims now pending are in condition for allowance, and early issuance of the Notice of Allowance is in order.

If there are any remaining issues the Examiner is encouraged to call the undersigned counsel for Applicant to seek to resolved them.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-1853. Should such additional fees be associated with an extension of time, Applicant respectfully requests that this paper be considered a petition therefor.

Respectfully submitted,



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